# Subminimum Wages for People with Disabilities in Wisconsin

Presented by
Esther Launstein and Molly Cooney

# Definitions

1. **Sheltered workshop[1]:** A charity or nonprofit that provides employment or occupational rehabilitation activities that are educational or therapeutic

2. **Competitive Integrated Employment[2] (CIE):** Part-time or full-time work that pays at least minimum wage, comparable to the wages of other employees doing the same work; with the same level of benefits; at a location where employees work around people with and without disabilities; and is given opportunities for advancement

3. **Commensurate wage[3]:** the amount paid to workers with disabilities based on their relative "productivity" to non-disabled workers in the same position

# History of 14(c)

1. Section 14(c) of the Fair Labor Standards Act of 1938[1] allows employers to get certified to pay workers with disabilities less than minimum wage
   - Wage studies to determine commensurate wage
2. The original purpose[2]: enable post-war soldiers with disabilities to work
3. The legislation originally included a wage floor[2]

# Shifts in policy

1. Department of Labor monitors sheltered workshops for exploitation[2]
2. Much of subminimum wage labor has moved outside sheltered workshops, with more contracted work[2]
3. Employment First legislation – Association of People Supporting Employment First (APSE)
4. Wisconsin's 2017 Act 178[4] – ensures access to CIE for certain people

# Subminimum Wage in Wisconsin & Madison

1. The number of subminimum wage programs and employees is decreasing each year[1]
2. In Madison, there are 2 facilities[2]: Central Wisconsin Center and Pathways of Wisconsin, Inc.

# Advocates in Our Area

1. Association of People Supporting Employment First (APSE)
2. Wisconsin Board for People with Developmental Disabilities (BPDD)
3. Disability Rights Wisconsin (DRW)
4. A-Team Wisconsin

# Main Takeaway from Interviews:

1. Any plans or legislation relating to subminimum wage should be created in collaboration with people with disabilities, advocates for AND against 14(c), families and caretakers, sheltered workshop employers, and multiple Wisconsin and Madison departments

# WI Board for People with Developmental Disabilities

https://wi-bpdd.org/

- Federally mandated, statewide advocacy and innovation organization

- Charged with:
  - Identifying most pressing needs of people with developmental disabilities and their families
  - Developing innovative and cost-effective ways to meet those needs
  - Advocating for policies that create systemic change

# Working towards CIE

- Build awareness in communities and with businesses
- Support employment service providers to shift to community-based services
- Support schools to follow best practices for transition
- Support families to see possibilities and to have high expectations; listen to their fears; address concerns
- Support people with disabilities to explore interests

# Questions?

# Sources (By Slide)


Definitions:

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History and Shifts in Policy:

1. Wage and Hour Division. (2008, July). *Fact Sheet #39: The Employment of Workers with Disabilities at Subminimum Wages | U.S. Department of Labor*. United States Department of Labor. https://www.dol.gov/agencies/whd/fact-sheets/39-14c-subminimum-wage

2. Jackson, K., & Switzer, E. (2024, March 1). *Subminimum Wage for People with Disabilities | The ILR School*. www.ilr.cornell.edu; Cornell University. https://www.ilr.cornell.edu/carow/carow-policy/subminimum-wage-people-disabilities

3. Winsor, J., Shepard, J., Zalewska, A., Domin, D., Migliore, A., Wedeking, R., White, A., & Butterworth, J. (2025). State Data: The National Report on Employment Services and Outcomes Through 2022. In *ThinkWork! Blue Book*. Institute for Community Inclusion. https://www.thinkwork.org/statedata/bluebook

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# Sources (By Slide) Continued

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